

REMARKS

Applicant submits a new paragraph [1036]. The noise variance symbol " σ " appears as a blank space in the document submitted to the Patent Office. The edits to paragraph [1036] and to claim 14 rectify this problem. No new matter is entered.

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the Examiner objects that it is not clear how a "new position" should be determined based upon a "current position". Independent claims 1 and 17 are amended to recite that a new position is determined "based on a function that processes the current position..." Various functions are discussed in paragraph [1034], among other places. Specific functions are also recited in dependent claims, such as claims 8-16.

The Examiner also objects that the claims do not "require any objective deterministic condition for ending the operation of moving the probe around". The Examiner appears to be ignoring the limitation related to "repeating said determining a new position for said probe until said new position and said current position are approximately a same position". This limitation appropriately defines the metes and bounds of the invention. The claims do not require an "objective deterministic condition". Thus, it is respectfully submitted that this objection is inappropriate.

The claims are also rejected under 35 U.S.C. 101 as being directed toward non-statutory subject matter. Claims 1 and 17 are amended to specify that the method is "implemented through instructions executed on a computer". Thus, the rejection under 35 U.S.C. 101 is no longer appropriate.

In view of the foregoing amendments and remarks, the application should now be in a condition for allowance. If there are any residual matters that can be resolved with a telephone call, the Examiner is requested to contact the undersigned.

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Respectfully submitted,
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